

BOARD OF SELECTMEN

TUESDAY, September 13, 2016

The regular meeting for the Board of Selectmen convened at 7:00 p.m. in the public meeting room in the Town Office Building at 110 Main Street. In attendance were John R. Morrell, Edward S. Harrison, and Dr. Richard M. Smith. Also present were Town Administrator Evan Brassard and the media.

The Pledge of Allegiance was recited.

Acceptance of Meeting Minutes:

Mr. Harrison made a motion to accept the meeting minutes for August 23, 2016 – open session. Mr. Morrell seconded and it was so VOTED. Dr. Smith abstained from voting as he was not present at that meeting.

Joint Meeting with School Committee:

This was tabled until September 27th.

Medical Marijuana – Holistic Industries – Meeting:

Josh Genderson, President, and Mike (last name not stated) approached the Board of Selectmen, providing an overview of who they are and what they will do at their Medical Marijuana Holistic Industries facility here in town located at 96 Palmer Road.

Mr. Genderson explained Mike is doing their cultivation. He was previously in California running approximately ten cultivation sites, and has audited some grows in their D.C. facility. Mike will oversee the buildout and process here in Monson, along with Mr. Genderson and his family.

Mr. Genderson explained they closed on the building three months ago. He is the President of the company which was started 70 years ago by his great-grandfather in Washington D.C., with wholesale and retail wine and spirits. About five years ago they got into the medical marijuana. They own two cultivation facilities in Washington D.C. where they do all the growing, processing, and manufacturing, that is distributed to all the dispensaries and outlets in the city. They also did work in Arizona. They applied for a Vertical license in Massachusetts, and about eight months to a year ago they were awarded a preliminary license. They also were recently awarded a Vertical license and big production facility in Maryland.

Mr. Genderson explained they applied for licenses after seeing how much marijuana helped alleviate the pain his two uncles were in from cancer, and built out from there. Medical marijuana helps epileptic children as well. Mr. Genderson said everything has been running smoothly, they cross every “t” and dot every “i”; they have amazing security; it’s a professional facility with no big signs, and no one is getting high.

Mr. Morrell asked about the timeframe of everything and Mr. Genderson responded it really depends on the State Dept. of Health. They are hoping to have their final letter from Somerville this week for the dispensary site they purchased. Once they receive that, it will go with the application to the state Dept. of Health where it will take approximately a month and a half to be processed. Once that has been done

they can start the process of building out and getting ready for an inspection, which should be in November. Getting the building up to snuff, getting permits and dealings with the State and the town will take about 4 to 6 weeks, with building out at about 5 or 6 months, including the security and getting everything functioning. During the six months is when they will begin hiring locally. Half of the jobs are hourly positions at \$15 per hour with benefits; the other half are salary paid positions that require a little bit more of a background. In the other markets, the salary positions pay between \$45,000 and \$70,000 per year. Mr. Genderson said it should be operational sometime between March and June 2017.

The growing facility in Monson will employ roughly 105 people, with 5 to 7 of them being required to have knowledge in this field and might have to be hired from outside the area. The rest of the employees will be local and offered to Monson residents first.

Mr. Harrison wondered about water consumption. Mike responded their plan is to recycle a lot of the water they will be using. The water will go through floor drains, be filtered, and then reused. As to how much water they will be using, Mike said it's probably going to be about 1,500 to 3,000 gallons a week. Mr. Morrell noted we are currently in a severe drought and we still have plenty of water without any restrictions imposed, therefore he didn't see any problems with this.

Mr. Genderson said they welcome bringing people in to the facility to give tours and outreach classes, as they understand it's a hot button topic.

Mr. Brassard noted they are a non-profit company; therefore, it limits the town's ability to tax the property; they will however have a host agreement with the town which is generally a low percentage of the revenue. Mr. Brassard said it generally out paces what you would be receiving in taxes.

Mr. Brassard said it's been a great process so far, pretty transparent, and he's enjoyed it. Mr. Brassard said Josh and Jason are great to work with. Mr. Genderson came with a group to the town to see who we are as a community and what our needs are, prior to beginning the process, and Mr. Brassard felt that was a positive step, very beneficial, and they will continue to stay in touch with each other. Mr. Brassard said he toured the facility with Chief Kozloski and the technology there is amazing, and felt it makes you think more of it from a medical perspective.

Dr. Smith said he feels their coming to Monson is great, and he's looking forward to them being here.

Mr. Morrell wished them success with their business and thanked them for coming in.

Surplus Property:

Mr. Brassard explained the surplus property is a 1985 pickup that belonged to Parks and Rec. that hasn't been used for quite some time. It was parked at Hillside and was recently vandalized, by what appears to have been a baseball bat; breaking all the windows and denting it up to the point it has no intrinsic value. This vehicle was recently transferred off site.

Mr. Harrison made a motion to deem the vehicle as surplus. Dr. Smith seconded and it was unanimously VOTED.

Traffic Citation Review:

Chief Kozloski approached the Board of Selectmen. The Board of Selectmen had handouts they received prior to the meeting.

Mr. Morrell explained awhile back he asked Chief Kozloski to come up with a proposal where all his officers would be working with the same tickets, traffic violations, and fee structure.

Chief Kozloski said he conducted a study of ten other communities within the region to see what their current parking fine structure was and the amounts of their fines compared to Monson's. Chief Kozloski noted Monson's current fine structure was considerably lower than the other communities and he suggested comparable amounts based on the averages.

Chief Kozloski noted over the past five years, his department has written up a total of 146 parking violations that totaled roughly \$750.00, and an additional 66 warnings where no fine was imposed. Chief Kozloski said he then split the time period up from 2014 to 2016, which was reflective of the selective parking ban (when the Highway Dept. suggests suspending the parking ban). During this timeframe, there were 21 parking violations issued totaling \$120.00, and 6 warnings in which no fines were imposed.

Mr. Morrell suggested rounding off the figures to an even amount to be in the ballpark with the other communities.

Mr. Brassard noted Chief Kozloski is the issuing and appealing authority; therefore, Chief Kozloski left the decision up to the Board to set the fees and the type of printed ticket, either leaving the amount blank to be filled in at the time (which he still has a good supply of), or printed with the amounts. Chief Kozloski said if the amounts are left blank, he will print up a sheet for the officers to use with the amount of the fines, so everyone will be using the same.

Chief Kozloski noted the typical violations they see are cars parked on the sidewalks, parked in the crosswalks, parked too close to an intersection, and with winter parking ban restrictions. They don't issue many tickets overall. Chief Kozloski said the public is pretty good about not parking in handicapped zones or near fire hydrants.

Mr. Brassard suggested allowing time for either him or Gaylin to fine tweak the amount of the fines, and to develop a set fee structure that can be posted with the implementation date, to bring back at the next meeting on the 27th.

Building Inspector Discussion:

Mr. Brassard provided an update on the Building Inspector position and noted currently BJ is doing it for a few hours on weekends and one night during the week. The position was posted twice for a total of 60 days with no viable candidates that were qualified, even for the initial hire, which means they have to be a Local or close to it, and within 18 months they have to be a Commissioner. Mr. Brassard noted he received at least 20 applications from people who have their CSL's which is a Construction Supervisor License which he added is difficult to obtain and they have a wealth of expertise and experience, but

noted the law is clear that unless you have the Local Inspectors certification from the State of Massachusetts, they can't be hired.

Mr. Brassard said he has one person who was referred by a former Building Inspector that he is trying to set up a meeting with. If this doesn't work, Mr. Brassard felt we need to talk about salary and whether or not to hire a search firm.

Mr. Brassard said he is hearing from other Inspectors there is a shortage of qualified candidates, and feels our salary range might be a hindrance. Also, the position has been advertised through a very wide net for 35 hours per week at \$51,000 and he feels we might be able to find someone who is looking for another part time position to fill in around another current part-time position, for less hours.

Mr. Brassard said he feels we could use a 40-hour per week Building Inspector in order to get a motivated person in that position, which has definitely paid off for us as a community in the past, by way of catching things that wouldn't have been caught before, resolving disputes that would have languished, and our customer service and turnaround time has improved greatly, therefore he really would like to see the towns retain this as a full-time position. Mr. Brassard said in the interim, even if we could get someone here for 20 hours a week, we could at least keep some consistency to the community, but our overarching goal should be to remain high in hours to as close to full-time as we can afford.

Dr. Smith said he heard the Towns of Wales and Brimfield are also short an inspector and wondered if we got together with one of them, possibly to do a shared inspector who would do two part-time positions to create a full-time job, for example working four days in one town and one in another or whatever. Mr. Brassard said if they were looking for full time, we could provide that and we pay better.

Mr. Brassard said he is also looking into digital inspection software where residents can apply for a permit online, and the Building Inspector can approve it online. When the inspection is ready they can actually go out with their iPad, sign right there electronically, and approve the project. It streamlines everything and notifies all the other departments that need to be notified, and increases the turnaround for collection. Mr. Brassard added he feels if we are able to get someone full-time or for 35 hours we can look at doing that, and feels it would be a cost savings in human capital where we can pick-up things we aren't doing elsewhere.

Mr. Brassard said any resident who has an issue in the meantime may feel free to call the Building Department or his office, and we will be happy to do what we can to assist.

MassWorks Program:

Mr. Morrell said this was an informational item. He wanted to let everyone know there is a grant available for Public Works Economic Development. Mr. Morrell said he has applied for this grant with the help of Town Planner Dan Laroche. The job entails resurfacing Main Street. The State owns Route 32 and they recently did their portion. The State won't do the Towns portion of Main Street. However, Mr. Morrell is hoping through this grant we will be able to get it done since it goes through our business district. He would like to do 9,500' of roadway from just north of Chestnut Street to just north of King Avenue. Two inches of asphalt would be milled off that entire stretch and replaced with two inches of

new material. A few drainage issues should be addressed where we have flooding problems due to old deteriorating culverts, by Dunkin Donuts, the Savings Bank, and the Methodist Church. Mr. Morrell said this grant application was submitted on time, and we should be hearing back soon from either Senator Anne Gobi or Representative Brian Ashe.

Mr. Morrell noted bridges that are 20' and over can qualify for Federal aid. The second grant pertains to a grant the State is coming out with which is a small bridge assistance program for all bridges that are between 10' and 20', and in some cases culverts would meet the criteria. Mr. Morrell said according to his consultant who used the MassDOT information, Monson has 76 structures that meet the criteria. A priority had to be set and consultant VHB out of Springfield was hired. Mr. Morrell said he met with them and they looked at some of the structures he thought would be a priority for us. It was agreed the bridge on Silver Street by the Silver Street Chapel would be a top priority for us, and this is the bridge he is proposing for the grant. This bridge is between 18' and 19' long and two cars can't pass over it at the same time as it's only a lane and a half wide. Losing this bridge would create a hardship for the residents who use it, as it connects the entire north end of Monson with the center of Monson, and the south side. The residents would have to go through Palmer or Wilbraham to get to the center of Monson if the bridge were closed. It was also noted school buses cross this bridge more than once a day. The maximum amount of this grant is \$500,000. If the grant is \$500,000 or less it also pays for the design work to be done, and Mr. Morrell said he feels it will be under \$500,000. He hasn't received any numbers yet, but VHB is working on it. The deadline for the first round is October 1st, and Mr. Morrell said we will meet this deadline easily.

Bethany Road Surplus Property Discussion:

Mr. Brassard said he has been talking with a local business owner regarding the potential to sell the land the Monson dog pound currently sits on.

Mr. Brassard noted there is a process the town needs to go through to dispose of land. It has to go to a public auction, etc., so he isn't suggesting to just sell the land to any one person. However, Mr. Brassard said he has entered into exploration with Mr. Laroche, the Assessor's Office, and a few other departments, and they are currently developing a matrix to present to the Board that will show every town owned property, town owned properties that are sellable, and town owned properties that are not sellable. Within the sellable properties, they will break apart parcels you would likely want to sell, parcels you would not want to sell, and parcels we don't know what we would want to do with them.

Mr. Brassard said the town does own quite a bit of property taken over through the years by tax titles or land gifts and noted there are a number of things we might want to look at.

Mr. Brassard said he has spoken with Chief Kozloski who has said he has no need for the parcel of land the dog pound is on. The building is no longer in compliance with State laws and it can't be brought up to State code. We would need to rebuild the dog pound which is now in a location too close to residents as houses have encroached on that parcel over the years. Therefore, he doesn't see a use for this property which is zoned industrial.

Mr. Brassard noted this property does abut the town's well head and EPA has a circumference around the wellhead that needs to be protected. Mr. Brassard feels we are well outside of that property line,

and will discuss this further if it is something the Board chooses to move forward on. Mr. Brassard said he did discuss this with the Water/Sewer Superintendent Craig Jalbert.

Mr. Brassard said he will have more information on this in the future.

Nexamp Surety Agreements – East Hill Road Project:

It was noted this is for the solar project on East Hill Road. Town Counsel Ben Coyle was present.

Mr. Brassard explained there are two separate surety agreements that have been negotiated between the Town of Monson and Nexamp, who is building the 2.6 megawatt solar facility on East Hill Road. One is the Decommissioning Surety agreement currently set at \$26,000 and the other is a Planting Surety agreement currently set at \$15,000. Both of the proposals have gone before the Planning Board, but they have not signed the documents yet, they were part of the initial proposal by Nexamp that were approved by the Planning Board. Mr. Brassard has been in talks with Chris Clark of Nexamp and Town Counsel Ben Coyle who negotiated back and forth and feel the agreement is good to go.

Mr. Brassard noted the solar project on Macomber Road had a \$5,000 Planting Surety agreement attached to it and was proposed to be almost four times the size of this project, requiring much more screening. The East Hill Road solar project, due to its location and the way the land owner carved the property, actually has very little planting that needs to be done to screen it from the public's view, and he feels \$15,000 is a good solid number, and a fair amount for this project.

Mr. Harrison made a motion to approve the Decommissioning Surety agreement and Planting Surety agreement, as written. Dr. Smith seconded and it was unanimously VOTED.

New Business to Come Before the Board:

- Dr. Smith said in regards to surplus property, he wondered about the Hillside building. Mr. Brassard said Paul DeMaio started patching the roof for the winter with self-adhesive rubber made to patch roofs. There has been rapid failure of the rubberized sections of the roof, and if left to deteriorate, the roof would collapse. They are working on putting together a proposal for the Board, for funding to board the Hillside building with plywood, covering the accessible windows, estimated to cost about \$5,000 for particleboard and green paint. The doors will remain in place but secured in a different fashion, and any storage of items or occupation in the building would be limited. Mr. Brassard noted the Hillside building will not be heated this winter and the only power is for the fire detection system.

Mr. Brassard noted to demolish the Hillside building would cost approximately \$700,000 as previously discussed, and this has been entered into part of the Capital Plan. In the meantime, he feels it is an attractive nuisance, as the entire back of the building is hidden from view. It was noted the School Department hasn't officially turned the building over to the town, and their storage tank is still in the ground. Mr. Brassard noted he spoke to School Superintendent Cheryl Clarke about his recently.

Mr. Brassard said the biggest fear he, Mr. DeMaio and Mr. Laroche have is if any portion of the roof does collapse, the \$400,000 of hazardous material will contaminate everything inside, bringing the cost

of abatement way up. Right now the abated material and demolition would cost \$700,000. However, the cost will double if everything is contaminated and it has to go as abated material.

Correspondence was read and completed.

At 8:18 p.m., Mr. Harrison made a motion to adjourn from open session to go into executive session with respect to non-union personnel pursuant to M.G.L. c.30A, Sec21 (2) and collective bargaining or litigation pursuant to M.G.L., c.30A, Sec21 (3), not to return to open session. Dr. Smith seconded and it was unanimously VOTED.

Dr. Richard M. Smith, Clerk